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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1988
TRUMAN A. HERRON 1935-1976
EDWARD B. EVANS 1936-1971

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May 11, 2005

FACSIMILE COVER SHEET

To:

Examiner Chun Cao
Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

From: Scott A. Stinebruner
Reg. No. 38,323

Re: U.S. Patent Application
Serial No. 09/809,408
Filed: March 15, 2001
Allowed: May 3, 2005
Applicant: Jennifer Anne Dervin et al.
Art Unit: 2115
Confirmation No.: 3577
Our Ref: IBM/181

Fax: 703-872-9306

Enclosures:

Fax Cover Sheet containing Certificate of Facsimile
Transmission (1 page)
Transmittal containing Certificate of Facsimile
Transmission (2 pages)
Amendment After Allowance Under
37 C.F.R. 1.312 containing Certificate of
Facsimile Transmission (12 pages)
Copy of Form 1449 filed October 8, 2004 (1 page)

Pages: 16 (including cover sheet)

MESSAGE/COMMENTS OFFICIAL

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (16 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Chun Cao, Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 703-872-9306 on May 11, 2005.

Judith L. Volk
Judith L. Volk

May 11, 2005
Date

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PATENTAtt'y Docket No. IBM/181/124
Confirmation No. 3577**CERTIFICATE OF FACSIMILE TRANSMISSION**

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Judith L. Volk
Judith L. Volk

May 11, 2005
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jennifer Anne Dervin et al. Art Unit: 2115
Serial No.: 09/809,408 Examiner: Chun Cao
Filed: March 15, 2001 Atty. Docket No.: IBM/181
Allowed: May 3, 2005
For: AUTOMATED NODE RESTART IN CLUSTERED COMPUTER SYSTEM

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. ☒ Transmitted herewith is an Amendment and Response.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
☐ Enclosed is a verified statement to establish Small Entity status
☒ Other than a Small Entity
3. The fee has been calculated as shown below:

CALCULATION OF FEES

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	35	minus	38	0	\$50	\$0.00
Independent Claims	10	minus	11	0	\$200	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$360	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

- ☒ No additional fee for claims is required.

Page 1 of 2
Serial No. 09/809,408
Transmittal for 312 Amendment of May 11, 2005
IBM Docket: ROC920000313US1
WH&E IBM/181

4. ☐ Attached is a check in the sum of \$_____ for additional claims.
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$_____.
5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$1,020.00	\$ 510.00
<input type="checkbox"/>	four months	\$1,590.00	\$ 795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00

Extension fee due with this request:

\$ _____

Method of Payment:

Check enclosed in the amount of \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.

OR

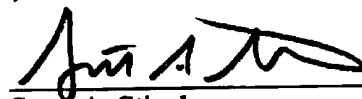
- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:



Scott A. Stinebruner
Reg. No. 38,323

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